

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

The City Council of the City of Leon Valley, Texas, met for a Regular Meeting on the 18<sup>th</sup> day of July 2006 at 7:00 p.m., at the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

**Call to Order and Pledge of Allegiance.**

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Maloy, Reyna, Semmelmann, and Rangel. Mayor Riley announced that Councilmember Dean had to go out of town on an emergency basis and had an excused absence.

City Manager Cortes, City Secretary Feutz, Fire Chief Irwin, Interim Police Chief Wallace, Interim Director of Public Works Stolz, City Accountant Wallace, Community Development Director Smith, Economic Development Liaison Caldera, Human Resources Officer Schendel, Library Director Trent, and City Attorney Jacobson were also present.

Mayor Riley asked Sandy Barnwell to lead the Pledge of Allegiance.

**Consider approval of minutes of the Regular City Council Meeting of July 6, 2006.**

A motion was made by Councilmember Rangel, seconded by Councilmember Maloy, to approve the minutes of the Regular City Council Meeting of July 6, 2006.

Councilmember Reyna stated that minutes as reflected on page 8, of the presented minutes indicated that comments made by Councilmembers occurred before the motion was tabled and that was incorrect. He also stated that comments made by other Councilmembers were not included in the minutes that he felt should be included in the minutes. After discussion with the City Attorney, Mayor Riley asked if Councilmember Rangel wished to amend his original motion, and Councilmember Rangel stated that he did not wish to amend his original motion.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Reyna, to approve the minutes subject to amendments being made to the minutes to include items raised by Councilmember Reyna at the next meeting. Upon vote, the motion carried.

The City Manager told Council that the minutes capture the essence of the discussion rather than a verbatim record, but if Council finds questions on the minutes, he asked that those questions be brought to the City Secretary before the meeting.

**Proclamation declaring August 1, 2006 as "National Night Out" in Leon Valley.**

Mayor Riley proclaimed Tuesday, August 1, 2006 as "National Night Out" in the City of Leon Valley, an event to support Neighborhood Crime Watch programs and to raise citizen awareness for neighborhood safety. The proclamation was given to Interim Police Chief Randall Wallace. He invited everyone to participate in the event and encouraged citizens to register their block parties for the event by letting the Police Department know about their planned event or by completing information through the City's website.

**Citizens to Be Heard and timing for objections to the Consent Agenda.**

Mayor Riley asked if anyone in the audience wished to address Council on non-agenda items.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

Resident Chris Peche, who is the President of the San Antonio Chapter of the Blue Star Mothers of America, Inc., asked Council to consider at a future meeting allowing the Blue Star Mothers to use the Conference Center without charge for one Saturday or Sunday afternoon in the month of August to show the documentary movie "My Child, Mother of War" for Gold Star families and the general public. She stated that they would ask for donations at the movie showings to raise some funds for the Blue Star Mothers group.

Seeing no one else to speak on non-agenda items, Mayor Riley asked if Council wished to have anything removed from the Consent Agenda. No items were asked to be removed.

**Consent Agenda**

**Consider Plat #05-091- A request by Flores & Company Incorporated Consulting Engineers, agent for the Church of Jesus Christ of Latter Day Saints, property owner, to plat the property at 7420 Huebner Road, being Parcel 114A, CB 4445, to new Lot 6, Block 1, CB 4445, establishing LDS-Huebner Subdivision. Staff recommends approval.**

**Consider Ordinance No. 06-018 - Amend City Code, Chapter 32 "Schedule of Fees", by adding Section 32.2600, "Municipal Court Fees", Subsection 32.2601, "Municipal Court Building Security Fund Fee", a fee to be imposed upon all defendants convicted of offenses in the Municipal Court of the City of Leon Valley, Texas and further limiting the use of such funds for the purposes authorized in Article 102.017(d) Texas Code of Criminal Procedure. The ordinance will incorporate the fees into the appropriate City Code section for fees. Staff recommends approval.**

**Consider Ordinance No. 06-019 - Amend City Code Chapter 32, "Schedule of Fees", by adding Section 32.2600 "Municipal Court Fees", Subsection 32.2602 "Municipal Court Technology Fund Fee", a fee to be imposed upon all defendants convicted of offenses in the Municipal Court of the City of Leon Valley, Texas and further limiting the use of such fees for the purchase of technological equipment. The ordinance will incorporate the fees into the appropriate City Code section for fees. Staff recommends approval.**

A motion was made by Councilmember Semmelmann, seconded by Councilmember Rangel to approve the Consent Agenda items as presented. Upon vote, the motion carried unanimously.

Mayor Riley invited anyone in the audience who wished to speak as "Citizens to be Heard" on an agenda item to come forward.

Resident Sandy Barnwell addressed Council about research she had done regarding overhead lanes in other cities such as East Lancaster Texas. She offered the copies to be given to Council and asked Council to not allow the Texas Department of Transportation put an elevated highway that she feels with be detrimental to businesses below the highway.

Terry Brechtal, executive Director of the Alamo Regional Mobility Authority (RMA), addressed Council stating that she wished to clarify a few points: the RMA has not issued a preferred alternative design and no primary option has been selected for State Highway 16. She stated that all options are still on the table as far as the RMA is concerned. She invited everyone to the public meeting to be held on Thursday, July 27, 2006 at the John Marshall High School auditorium to present their ideas for addressing the traffic concerns on Bandera Road.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

Resident Al Baldrige addressed Council stating that the majority of citizens are against the toll road option and urged Council to support that view.

President of the Leon Valley Chamber of Commerce, Phillip Manea, addressed Council stating that the business community does not support any elevated highway and does not support a toll road on Bandera Road.

Former Mayor, Marcy Meffert, addressed Council stating that she had written to State Representative Joaquin Castro and State Senator Leticia Van De Putte and expressed her concern that the Texas Department of Transportation is making policy for the City. She expressed her objections to the elevated roadway.

Resident Hubert Lange addressed Council stating he was not sure that most people in Leon Valley do not want an elevated highway or toll road as the same people who are against the toll road show up to speak at meetings on the subject, but, he stated that he felt that the majority of Leon Valley citizens have not been heard. He also stated that the decision for road improvements to be a tolled road or not was not a decision of the City's.

Resident Cathy Nelson expressed her concerns about any changes to wording included in a Resolution telling the RMA or the Texas Department of Transportation (TxDOT) the City of Leon Valley does not want an elevated toll road.

**Regular Agenda**

**Consider and act upon resolution(s) tabled from July 6, 2006 to day certain of next Council meeting, July 18, 2006, concerning traffic congestion and developing plans to increase the capacity of State Highway (SH) 16, also known as Bandera Road.**

Mayor Riley asked Councilmember Reyna if he wished to present his resolution as he had presented on July 6, 2006. Councilmember Reyna stated he was pulling down his resolution until Council could be convinced that the majority of the voices in Leon Valley do not want an elevated highway in Leon Valley.

City Attorney Jacobson stated that both the original resolution and the amended resolution language could both be considered for this meeting for action. As the meeting chair, Mayor Riley stated that both resolutions could be considered at the meeting.

Following discussion, no action was taken.

**Consider Ordinance No. 06-020 - Repeal and replace all previous Municipal Court schedules of fines.**

City Prosecutor Michelle Lanfear addressed Council stating that Municipal Court fines had been reviewed and updated to meet legal limits with some recommendations for increased fines. She explained that recommended fines allow defendants to pay a recommended fine when they just wish to pay the fine and do not wish to see the Judge. She explained that the recommended fines still allow the Judges to raise or lower fines within the parameters set by law when defendants appear in court.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

Following Council discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Rangel, to approve the ordinance repealing and replacing all previous municipal court schedules of fines as presented. Upon vote, the motion carried unanimously.

**Consider M&C # 07-01-06 with attached ordinance - a request to close the alley behind Lots 23 and 24, and a portion of Lot 34 in Block B of the Linkwood Addition Subdivision and directing the City Manager to execute documents conveying the land to adjacent property owners.**

Community Development Director Melinda Smith presented case information to Council, a request by property owners to close the alley to the rear of Lots 23, 24, and a portion of Lot 34 in Block B, CB 4446A, Linkwood Subdivision. After reviewing the background of the properties and alley closures in the same area, Ms. Smith stated that the petitioners would be required to pay any costs associated with utility relocations or the preparation of field note descriptions or for re-plats that would be necessary.

Following Council discussion, a motion was made by Councilmember Maloy, seconded by Councilmember Rangel, to approve the request as presented and its attached ordinance. Upon vote, the motion carried unanimously.

**Consider M&C #07-02-06 - Authorize acceptance of the lowest bid for the Huebner Creek drainage improvements at the City Public Service Energy tower.**

Interim Public Works Director Fred Stolz presented information to Council regarding the Huebner Creek drainage improvements to prevent creek bank erosion and the lowest bid submitted by R. L. Jones, L.P. in the amount of \$154,436.50 for Bid # 2006-04. He stated that the City Public Service Overhead to Underground Conversion Fund will reimburse the City for the cost of construction upon completion of the work.

Following Council discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Reyna to accept the bid of R. L. Jones L.P., in the amount of \$154,436.50 and authorize the City Manager to execute the contract documents as needed to complete the work as presented in the M&C. Upon vote, the motion carried unanimously.

**Consider M&C # 07-03-06 - Approval of a budget adjustment for the Capital Projects Fund for the Huebner Creek drainage improvements.**

Mayor Riley announced that this budget adjustment went together with the bid approved by Council. City Manager Cortes explained that the budget adjustment was necessary to reflect the adjustment in the amount of \$169,881 from the Capital Projects Fund. He stated that the budget adjustment will reflect not only the amount of the lowest bid for the Huebner Creek drainage improvements project in the amount of \$154,437, but also ten percent (10%) for contingencies in the amount of \$15,444.

A motion was made by Councilmember Maloy, seconded by Councilmember Rangel, to approve the requested budget adjustment for the Capital Projects Fund for the Huebner Creek drainage improvements as presented. Upon vote, the motion carried unanimously.

**Consider M&C # 07-04-06 - Approval of a budget adjustment for the General Fund and the Water and Sewer Funds to cover paid leave for retiring personnel.**

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

City Manager Cortes presented the request for a budget adjustment stating that the adjustment will reflect \$15,653 from the General Fund Reserve and \$1,737 from the Water and Sewer Fund Reserve to pay for unused and accumulated leave paid to retiring employees without affecting overall approved budgets for the departments.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Rangel, to approve the requested budget adjustment for the General Fund and the Water and Sewer Funds to cover paid leave for retiring personnel as presented. Upon vote, the motion carried unanimously.

**Consider M&C # 07-05-06 - Approval of a budget adjustment for the General Fund to complete the renovations to the Chambers House.**

Interim Public Works Director Fred Stolz presented the request for a budget adjustment for the General Fund to complete the renovations to the Chamber's House stating that the adjustment will reflect \$40,000 from the General Fund reserve. He reviewed costs-to-date for the Chamber's House renovation totaling \$42,442 and explained that the estimated additional \$40,000 was needed to finish out the project. He added that the additional amount would be using Public Works crews on an overtime basis and would include materials, labor, and furnishings to complete the project in approximately thirteen weeks. He stated that once finished, the project would provide offices for Economic Development Department.

A motion was made by Councilmember Reyna, seconded by Councilmember Maloy, to approve the requested budget adjustment for the General Fund to complete the renovations to the Chambers House as presented. Upon vote, the motion carried unanimously.

**Consider Ordinance No. 06-022 - Authorizing and incorporating the budget adjustments to the FY 2006 Budgets of one, two, or all: M&C # 07-02-06, M&C # 07-03-06, and M&C # 07-04-06.**

City Manager Cortes informed Council that a recent ruling by the Attorney General requires adjustments to the City's budget to be by ordinance. City Secretary Feutz announced that there was a typographic error on the listed M&C's and that correct M&C's should be: M&C # 07-03-06, M&C # 07-04-06, and M&C # 07-05-06.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Rangel, to approve the Ordinance authorizing and incorporating budget adjustments to the General Fund, Water and Sewer Fund, and the Capital Projects Fund as described in M&C #: 07-03-06, 07-04-06, and 07-05-06. Upon vote, the motion carried unanimously.

**Consider M&C # 07-06-06 - Authorization for the City Manager to enter into an Agreement for Mutual Aid for Emergency Medical Services for Public Assistance to Provide Mutual Aid in a Pending or Actual Disaster between the Department of State Health Services (DSHS) and DSHS-licensed EMS providers (City of Leon Valley).**

Fire Chief Stan Irwin addressed Council explaining that following last year's hurricane disasters, mutual aid agreements were proposed between the Department of State Health Services (DSHS) and DSHS Licensed EMS Providers like the City of Leon Valley to provide a mechanism to identify resources to help communities respond to disaster situations. Chief Irwin recommended that the City agree to the "State Mission" option in the agreement so that the response by the Leon Valley EMS, when asked to respond to a disaster, will be only if the City would not experience a

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

degradation of service to the City of Leon Valley if it responded elsewhere during a disaster situation.

Following Council discussion on reimbursement mechanisms when the City of Leon Valley responds, a motion was made by Councilmember Rangel, seconded by Councilmember Reyna, to approve the request to authorize the City Manager to enter into the proposed Agreement for Mutual Aid for Emergency Medical Services as presented with the State Missions option, but not for the State Facility Evacuation option in the agreement, as recommended in the M&C. Upon vote, the motion carried unanimously.

**Consider Ordinance No. 06-023 - Appointment of members to the Business Alliance Committee, Leon Valley Stormwater Management Committee, Civic Affairs Committee, Library Board of Trustees, Trade and Market Days Committee, and Leon Valley Earthwise Living Committee and the City Park Commission.**

Mayor Riley announced that most of the appointments were actually reappointments, except for Benjamin Miranda and Alie Baldrige on the Business Alliance Committee and Mr. Hendricks on the Park Commission.

The Ordinance named the following appointments:

1. The following individuals were proposed to be appointed as members to the **Business Alliance Committee**: Mike Davis, Michael McCarley, Walter Geraghty, Philip Manea, Herman Murray, Alie Baldrige, Greg Michaels, and Benjamin Miranda
2. The following individuals were proposed to be appointed as members to **Leon Valley Stormwater Management Committee**: Bob Tome, David Clarke, Mary Rayborn, Carmen Valdez, Steve Rapkin, Mike Clemenson, Walter Geraghty, and Bart Huffman.
3. The following individuals were proposed to be appointed as members to the **Civic Affairs Committee**: Katie Gwaltney, Loran Brenner, Guadalupe Diaz, Abraham Diaz, Celia Ramirez, and Gail Tribble
4. The following individuals were proposed to be appointed as members to the **Leon Valley Public Library Board of Trustees**: Tom Bellows, Charlotte Asch, Carol Poss, Susan Priesand, Horace Staph, Gail Zapata, and Peggy Proffitt.
5. The following individuals were proposed to be appointed as members to the **Trade and Market Days Committee**: Nita Lange, Sheila Harris, Mary Niblett, Cindy Rangel, and Lydia Stahl.

The following individual was proposed to be appointed as a member to the **Trade and Market Days Auxillary Committee**: Jeanette Honermann.

6. The following individuals were proposed to be appointed as members to the Leon Valley Earthwise Living Committee: Rita Burnside, Thomas Benavides, Anita Eggert, Mary Key, David Mauer, Betsy Rapkin, Diana Sarafin, and Marty Tome
7. The following individual was proposed to be appointed as a member to the **City Park Commission**: Ray Hendricks.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

Following Council discussion, a motion was made by Councilmember Rangel, seconded by Councilmember Reyna, to approve the Ordinance as presented with the exception that Mr. Baldrige be asked to return a completed application before participating as a member of the Business Alliance Committee. Upon vote, the motion carried unanimously. Councilmember Reyna clarified that because the Business Alliance Committee is a public meeting, Mr. Baldrige can attend the meeting.

Councilmember Semmelmann has asked that direction be provided for the Business Alliance Committee.

**City Manager's report.**

City Accountant Vickie Wallace presented a review of expenses and revenues year-to-date. She stated that sales tax is still down 6.69% from last year. She stated that the brush truck for the Fire Department was still scheduled to be purchased within the fiscal year.

City Manager Cortes asked for a Budget Workshop to be held on Monday, August 7, 2006 at 6:00 p.m. at City Hall. There were no objections from Council.

**Citizens to be Heard.**

Mayor Riley asked if anyone else in the audience wished to address Council; seeing no one, she asked for announcements

**Announcements.**

Councilmember Rangel announced that with Council's approval, he would be out of town between July 24, 2006 - August 4, 2006 for military service. He asked that the Historical Society present a quarterly report on their progress on the 36-acre property that they lease from the City.

Councilmember Semmelmann announced that he and Mayor Riley had met with two representatives from VIA. He stated that in the course of the meeting, a suggestion was made that the City request from the Metropolitan Planning Organization money to do a study on the traffic situation on Bandera Road by an independent agency and get independent recommendations to resolve the congestion issue. He also reported that VIA suggested that a rapid bus transit could help assist with the Bandera Road congestion.

Councilmember Maloy asked that if a service member is killed in the line of duty, that the flags at Leon Valley municipal offices be flown at half staff.

Mayor Riley announced that she had met with Waste Management's Albert Perez to discuss new ways to jump-start the City's recycling efforts with monetary incentives and additional recycling for all plastics, ink jet cartridges and cell phones. The Mayor also reported that she had met with the Edwards Aquifer Authority and that they expected we would be entering drought management Stage I in the next day or so in which the City's water use must be cut by 5%. She announced that a mandate is scheduled to go into effect by January 1, 2008 that would require our pumping from the Edwards Aquifer to decrease again. She also reported that the City expects to hear that the Bexar County Commissioner's Court will award a CDBG grant for park equipment to the City next week. Mayor Riley announced that the Alamo Regional Mobility Authority will accept public

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,  
TEXAS, JULY 18, 2006, 7:00 P.M.**

comments on their website regarding the Bandera Road congestion issue for those who cannot attend the meeting on July 27<sup>th</sup>.

Mayor Riley announced that she regrets that she will not be able to attend the National Night Out activities in the City nor the August 2, 2006 meeting as she will be out of town. She announced that Mayor Pro Tem Liz Maloy will serve as the meeting Chair.

Councilmember Maloy asked if the Earthwise Living Committee or the South Texas Gardening Volunteers could be contacted about creating a planting design for the base of the new marquee in front of City Hall.

**Adjourn.**

A motion by Councilmember Semmelmann, seconded by Councilmember Rangel, to adjourn the meeting. Mayor Riley adjourned the meeting at 9:12 p.m.

Liz Maloy  
Mayor Pro Tem

ATTEST:

Marie Feutz  
City Secretary

Minutes were approved at the August 2, 2006 City Council Meeting chaired by Mayor Pro Tem Liz Maloy.